

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

**AVONDA URBEN,
Plaintiff,**

v.

**GRIDKOR, LLC, et al.,
Defendants**

)
)
)
)
)
)
)
)
)

Case No. 1:23-cv-138

ORDER

This matter is before the Court on the parties' Joint Request to Continue the Hearings. Two motion hearings are currently scheduled in this matter: (1) a hearing on May 5, 2023 on Defendants Michael Bryant, Alyssa Bryant, and KorDev LLC's Motion to Dismiss (Dkt. 22); and (2) a hearing on May 26, 2023 on Plaintiff's Motion to Dismiss the Amended Counterclaims and Third-Party Claims (Dkt. 32). The parties jointly request to reschedule both hearings for June 9, 2023, at 10:00 a.m. Plaintiff's counsel, Emily Kirsch, reports that she has a personal conflict that will prevent her from appearing at the hearing scheduled for May 5, 2023. Defendants' counsel, Tillman Finley, reports that he has a trial beginning on May 22, 2023 in Ohio which will prevent him from appearing at the hearing scheduled for May 26, 2023.

The parties' joint motion will be granted in part and denied in part. The motion will be granted with respect to the hearing on Plaintiff's Motion to Dismiss the Amended Counterclaims scheduled for May 26, 2023, which will be continued due to defense counsel's out-of-state trial. The hearing will not be rescheduled for June 9, 2023, however. Instead, once Plaintiff's motion has been fully briefed, it will be decided on the papers or a new hearing date will be selected by the Court.

The parties' joint motion will be denied with respect to the hearing on Defendants' Motion to Dismiss scheduled for May 5, 2023. A hearing in this matter has been scheduled for May 5, 2023 since April 11, 2023, and this hearing has been scheduled for May 5, 2023 since April 19, 2023. Now, only two days before the hearing, Plaintiff seeks to continue the hearing due to an unspecified personal conflict. Without further information, it is difficult to assess the grounds for granting the requested continuance, and the Court has already expended time and resources in preparation for the upcoming hearing. Furthermore, Plaintiff is represented by two other attorneys in addition to Ms. Kirsch. It is therefore appropriate to deny the motion and hold the hearing on Friday, May 5, 2023, as originally scheduled.


Accordingly,

It is hereby **ORDERED** that the parties' Joint Motion to Continue the Hearings (Dkt. 39) is **GRANTED IN PART and DENIED IN PART**. The motion is **GRANTED** with respect to the hearing on Plaintiff's Motion to Dismiss the Amended Counterclaims scheduled for May 26, 2023. The motion is **DENIED** with respect to the hearing on Defendants' Motion to Dismiss scheduled for May 5, 2023.

It is further **ORDERED** that the hearing on Plaintiff's Motion to Dismiss the Amended Counterclaims scheduled for May 26, 2023 is **CANCELLED**.

The Clerk of the Court is directed to send a copy of this Order to all counsel of record.

Alexandria, Virginia
May 3, 2023


/s/ T. S. Ellis, III
T. S. Ellis, III
United States District Judge